IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO :21729 of 1997

Dated: 01.02.2007

Between:
1.Puskuru Ram Prabhakar Rao, S/o Narsimha Rao,
56 years, agriculturist, R/o Ramannagudem,
H/o Lakshmakkapalli (v), Kodakandla Mandal,
Warangal district.
2.Puskuru Ramchandra Rao, S/o Narsimha Rao,
51 years, R/o Lakshmakkapalli (v), Kodakandla (M)
Warangal district.

..... PETITIONERS

AND

1.The District Collector, Warangal.
2.The Land Reforms Tribunal, Warangal,
(Constituted under A.P.Land Reforms
Ceiling on Agricultural Land Holdings
Act, 1973.) ……RESPONDENTS

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO.21729 of 1997

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondents in withholding payment of compensation to the petitioners, as confirmed by an order dated 07.06.1993 passed in L.R.A No.7 of 1993 by the Land Reforms Appellate Tribunal, Warangal, with interest at 18% per annum from 15.02.1985, as illegal and arbitrary.

A detailed counter-affidavit has been filed on behalf of the 1st respondent stating that an

amount of Rs.7,34,864/- is to be paid towards land value, value of well and fruit bearing trees and that an amount of Rs.1,65,000/- was paid to the petitioners as per the interim order passed by the Land Reforms Appellate Tribunal, Warangal, in L.R.A.No.52 of 1985 dated 13.06.1988 as on the date of filing of the writ petition. It is further stated that the balance amount of Rs.5,69,864/- was paid to the petitioners in the year 1998.

Heard both sides.

Admittedly, the Land Reforms Appellate Tribunal by order dated 16.04.1990 in L.R.A.No.52 of 1985 confirmed the orders passed by the Land Reforms Tribunal, Warangal and since then the petitioners are entitled for the aforesaid compensation amount. However, it is clear that only an amount of Rs.1,65,000/- was paid initially and the balance amount of Rs.5,69,864/- was paid to the petitioners in the year 1998 i.e., after a period of eight years from the date of the orders passed by the Land Reforms Appellate Tribunal. Hence this Court is of the view that the petitioners are entitled for interest. In the normal circumstances, even assuming that in the course of administration, it takes a period of one year to deposit the amount of compensation, still, there was a delay of about seven years in paying the balance compensation amount of Rs.5,69,864/-. As such, in my considered opinion and in the interest of justice, the petitioners are entitled to interest on the balance amount of Rs.5,69,865/- for such a delay in payment.

In the aforesaid circumstances, I deem it appropriate to direct the respondents to pay interest to the petitioners at the rate of 8% per annum on Rs.5,69,864/- for seven years, within a period of three months from the date of receipt of a copy of this order.

Subject to the above direction, this writ petition is disposed of. No costs.

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(GOPALA KRISHNA TAMADA, J)

01-02-2007
Gsn.